

JOSE A. OLIVO-NOBLE,

Plaintiff,

v.

JOHN E. WETZEL, *et al.*,

Defendants.

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CIVIL NO. 1:16-CV-1762

*O R D E R*

AND NOW, this 20th day of December, 2016, upon consideration of Magistrate Judge Schwab's Report and Recommendation (Doc. 7) that Plaintiff's petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. 1) be deemed withdrawn and that the case file be closed, and, after independent review of the record, and noting that Plaintiff elected to withdraw the petition so that he may file one all-inclusive petition within the applicable statute of limitations (Doc. 8), and further noting that no objections were filed to the Report and Recommendation, IT IS ORDERED that:

- (1) The Report and Recommendation (Doc. 7) is ADOPTED;
- (2) The Clerk of Court shall close the file.

/s/ William W. Caldwell  
William W. Caldwell  
United States District Judge

Date: December 20, 2016